

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JESSE A. HARVEY,

Petitioner,

v.

JOHN DOE,

Respondent.

NO: 12-CV-385-RMP

ORDER DISMISSING PETITION

By Order filed August 13, 2012, the Court advised Petitioner of the deficiencies of his *pro se* Petition for Writ of Habeas Corpus by a Person in State Custody pursuant to 28 U.S.C. § 2254, and directed him to amend within sixty (60) days. Petitioner, a prisoner at the Monroe Correctional Complex, Intensive Management Unit, is proceeding *in forma pauperis*; Respondent has not been served.

Specifically, the Court noted that Petitioner failed to name his present custodian as Respondent. *See* Rule 2(a), Rules Governing Section 2254 Cases in the United States District Courts; *Stanley v. California Supreme Court*, 21 F.3d

ORDER DISMISSING PETITION -- 1

1 359, 360 (9th Cir. 1994). Therefore, this Court lacks personal jurisdiction over his
2 Petition. *Dunne v. Henman*, 875 F.2d 244, 249 (9th Cir. 1989). Although granted
3 the opportunity to do so, Petitioner did not amend his petition to cure this
4 deficiency or the other deficiencies set forth in the previous Order. Therefore, **IT**
5 **IS ORDERED** the Petition is **DISMISSED** for lack of personal jurisdiction.

6 **IT IS SO ORDERED.** The District Court Executive is directed to enter this
7 Order, enter judgment, forward copies to Petitioner at his last known address and
8 close the file. The Court further certifies that pursuant to 28 U.S.C. § 1915(a)(3),
9 an appeal from this decision could not be taken in good faith, and there is no basis
10 upon which to issue a certificate of appealability. 28 U.S.C. § 2253(c); Fed. R.App.
11 P. 22(b).

12 **DATED** this 5th day of November 2012.

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14 s/ Rosanna Malouf Peterson
15 ROSANNA MALOUF PETERSON
16 Chief United States District Court Judge
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